Name: Daniel J. Lang
CDC#: C82516
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San Diego, CA 92179-9001
IN PERSONA PROPRIA

FILED
JUN 19 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

DANIEL J. LANG

PLAINTIFF

v.

ROBERT J. HERNANDEZ, WARDEN
et al.......

DEFENDANTS

REQUEST FOR EXTENSION OF TIME

Case No. 08-0238-JLS (CAB)

COMES NOW, PLAINTIFF, DANIEL J. LANG and respectfully submits this request for extension of time. I make this request for extension of time, my 1st request, because I am unable to meet the filing deadline of 6-12-08 for the submission of FIRST AMENDED COMPLAINT UNDER 42 U.S.C. §1983......., for the following reasons:

1. I am a California Department of Corrections inmate, and at the present I am incarcerated at the Richard J. Donovan Correctional Facility.

2. I am a layman in the field of law, and I am representing myself.

CR

3. I have made every effort to prepare and submit the above mentioned document within the prescribed time.

4. However, I received the court's notification of 5-12-08 ON OR ABOUT MAY on 23 day of 2008; a significant time delay of mail delivery due to facility staff shortage. Therefore, the remaining time before the deadline was inadequate.

WHEREFORE, the reasons stated above, good cause showing, I respectfully request that the honorable court grant me an extension of 60 days.

I declare under the penalty of perjury of the laws of the state of California that the above statement is true and correct. Executed at the Richard J. Donovan Correctional Facility, San Diego, California, on the 12 day of June 2008.

DANIEL J. LANG, Plaintiff
Pro Se

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State of California

Department of Corrections and Rehabilitation

Memorandum

Date : November 7, 2005

To : All Facility Programs

Subject: INMATE MAIL

This is in regards to processing inmate mail when it is determined that the inmate has moved from his housing assignment, in which the mail was originally addressed. This mail is considered "reroute mail" and shall be processed by the Facility Search & Escort (S&E)/Yard officers on a **DAILY BASIS DURING THIRD WATCH**.

Inmates Currently Housed at the R. J. Donovan Correctional Facility (RJDCF):

The "reroute mail" process will consist of the following: Housing Unit staff will ensure that the mail is returned to the Program Office; the S&E/Yard officer will utilize Data Distribution Processing System (DDPS) to locate the current housing assignment for each inmate; inmates who are still housed within the facility, mail will be routed back to the appropriate housing unit; inmates who are housed on a different facility which will include the Correctional Treatment Center (CTC), mail will be hand carried to each appropriate Facility Program Office or CTC for distribution.

Inmates Transferred, Paroled, Out to Court/Hospital:

Mail for inmates who have transferred to another institution will be labeled accordingly with the appropriate three letter institutional abbreviation. Mail for inmates who are out to court or hospital will be labeled accordingly with "OTC" or the hospital's abbreviation. Inmates who have paroled will have their mail returned to sender (RTS). This mail will be labeled "PAROLED" and RTS. In addition, the institution's address must be marked out to prevent the postal service from returning it back to the RJDCF. Lastly, any tracking bar codes attached to the envelope must be removed or marked through to prevent the postal service from returning it back to the RJDCF. This mail will be placed in the empty Legal Mail bag and returned to the Mailroom.

Unidentifiable Inmates:

Every effort must be made in locating an inmate for mail delivery. It will be incumbent the S&E/Yard officer to use all information affixed to the envelope, i.e. first and last name, CDC number etc. to locate the inmate. Once all options of identifying the inmate have been exhausted and it is determined that he cannot be located, the mail will labeled "RTS" and "Unable to Locate". In addition, the institution's address and any tracking bar codes must be marked out to prevent the postal service from returning it back to the RJDCF. This mail will be placed in the empty Legal Mail bag and returned to the Mailroom.

Upon the return of any mail to the mailroom, the mail will be prepared in three bundles. The bundles will be labeled "RTS", "Transfers" and "OTC/Hospital" and banded together with rubber bands. There should not be any other abbreviations used when redirecting mail. Failure to adhere to the aforementioned procedure will result in the mail being returned to the facility for proper processing.

If you have a further questions or concerns, feel free to contact Correctional Lieutenant M. Stout at extension 7846.

ROBERT J. HERNANDEZ
Warden
Richard J. Donovan Correctional Facility

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN DIEGO)

[C.C.P. §§ 446, 2015.5; 28 U.S.C. §1746]

I, Daniel J. Lang, am a resident of the State of California and am over the age of eighteen years and am a party to the above-entitled action. My address is listed below.

On 6-12-08, I served the following documents:

Request for Extension of Time to File a First amended Complaint in Case No. 08-0238-JLS (CAB)

by placing a true copy thereof enclosed in a sealed envelope with First Class postage thereon fully prepaid in the United States Mail by delivering to prison officials for processing through the Institution's internal legal mail system at San Diego California, addressed as follows::

UNITED STATES DISTRICT COURT
SOURTHENR DISTRICT OF CALIFORNIA
880 Front St #4290
San Diego, CA
92101-8900
(1-orig. + 2-copies

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed in the County of San Diego, California on 6-12-08

Daniel J. Lang, C82516
Richard J. Donovan, Corr.Fac. 1-1-241
P.O. Box 799001
San Diego, CA 92179-9001

Pursuant to the holding of the United States Supreme Court in Houston v. Lack 108 S. Ct. 2379, 487 U.S. 266, 101 L.Ed.2d 245 (1988) and FRAP, Rule 4 (c) inmate legal documents are deemed filed on the date they are delivered to prison staff for processing and mailing via the Institution's internal legal mail procedures.